

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Dudley Greene)
)
) Case No. 11-30789-KRH
)
)
 Debtor(s)) Chapter 13
)
 Address 8192 Studley Rd.)
 Mechanicsville, VA 23116)
)
 Last four digits of Social Security or Individual Tax-)
 payer Identification (ITIN) No(s), (if any): 5745)
)

NOTICE OF MOTION

Dudley Greene has filed papers with the court to Waive the requirement to file Certification pursuant to 11 USC 1328.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before April 1, 2016, you or your attorney must:

X File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294

- ☐ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- ☐ Attend the hearing on the motion (or objection) scheduled to be held on _____ at _____ . m. at United States Bankruptcy Court, 701 East Broad Street, Crtrm <5100/5000> Richmond, VA 23219.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 3/18/2016

Signature, name, address, and telephone number of person giving notice:

/s/ Richard J. Oulton
Richard J. Oulton, Esq.
America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294
Virginia State Bar No. 29640
Counsel for Dudley Greene

Certificate of Service

I hereby certify that I have this 18th day of March, 2016, mailed or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the parties listed on the attached service list.

/s/ Richard J. Oulton
Richard J. Oulton, Esq.

Creditors

ACA Inc.
P.O. Box 7051
Utica, NY 13504-7051

American Student Assistance Guarantor
100 Cambridge St., Ste. 1600
Boston, MA 002114

BB&T
PO Box 580048
Charlotte, NC 28258

BB&T
P.O. Box 1847
Wilson, NC 27894-1847

Chase Bank USA, N.A.

PO Box 15145
Wilmington, DE 19850-5145

Discover
PO Box 71084
Charlotte, NC 28272

Discover Bank
DB Servicing Corporation
PO Box 3025
New Albany, OH 43054-3025

ECMC
PO Box 16408
St. Paul, MN 55116-0408

JP Morgan Chase

c/o ACS
P. O. Box 22724
Long Beach, CA 90801-5724

Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Wells Fargo
PO Box 6412
Carol Stream, IL 60197-6412

Wells Fargo Bank, N.A.
c/o Wells Fargo Card Services
Recovery Department
P.O. Box 9210
Des Moines, IA 50306

Wells Fargo Bank, NA
Wells Fargo Home Mortgage
3476 Stateview Blvd.
MAC #7801-014
Fort Mill, SC 29715

Wells Fargo Home Mortgage
Attention: Bankruptcy Department
MAC #D3347-014
3476 Stateview Blvd
Fort Mill, SC 29715

Wells Fargo Home Mortgage
PO Box 11701
Newark, NJ 07101-4701

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In Re: Dudley Greene
Debtor.

Case No. 11-30789-KRH
Chapter 13

**DEBTORS' MOTION FOR WAIVER OF REQUIREMENT TO FILE CERTIFICATION CERTIFICATION PURSUANT
TO 11 USC 1328**

The Debtor through his conservator, by his counsel, hereby moves for the entry of a hardship discharge pursuant to 11 U.S.C. § 1328(b). In support of this motion he avers that:

1. This chapter 13 plan was filed on 2/18/2011.
2. The Debtor's chapter 13 plan was confirmed on 8/10/2011.
3. From that date until 2/8/2016, the Debtor or his wife, who is a co-debtor in the case, made regular monthly payments to the trustee in the full amounts provided for by the plan.
4. The value, as of the effective date of the plan, of the amounts distributed to the unsecured creditors under the plan has not been less than the amounts which those creditors would have been paid on their claims had the estate of the Debtor been liquidated under chapter 7 on that date.
5. Debtor is now deceased, and unable to certify those items necessary under 11 USC 1328.

WHEREFORE, the Debtor prays that this Court waive the requirement that the debtor complete and file a certification pursuant to 11 USC 1328.

Date: 3/18/2016

Amber Greene for Dudley Greene
By Counsel

/s/ Richard J. Oulton, Esq.
Richard J. Oulton, Esq. VSB#29640
America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294
804-308-0051 (ph)
804-308-0053 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on 3/18/2016, a true and correct copy of the foregoing Notice and Motion were submitted for electronic transmittal and/or mailed to the U.S. Trustee; Chapter 13 Trustee; and all parties in interest.

/s/ Richard J. Oulton, Esq.
Richard J. Oulton, Esq. VSB#29640

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